IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WA.No. 3866 of 2001(B)

AGAINST THE JUDGEMENT/ORDER IN OP.10713/1995

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APPELLANTS:

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1. The State of Kerala represented by the Chief Secretary, Secretariat, Thiruvananthapuram.

2. The Commissioner and Secretary to the Govt., Public Works and Transport (A) Department, Trivandrum.

3. The Chief Engineer, P.W.D. (Administration), Trivandrum.

4. The Accountant General (A&E) Kerala, Branch Office, Trissur.

BY GOVERNMENT PLEADER SRI. SANDESH RAJA.

RESPONDENT:

Sheikh Abdul Gafoor, Executive Engineer (Retd),
'Joshan', Kozhikode.

BY ADV. SRI.A.P.CHANDRASEKHARAN (SR.)
SMT.PRABHA R.MENON
SRI.PUSHPARAJAN KODOTH
SRI.M.KRISHNAKUMAR
SRI.K.JAYESH MOHANKUMAR
SRI.T.SETHUMADHAVAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 10/7/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP 9212/2001 IN WA 3866/01

DISMISSED.

SD/- K.S.RADHAKRISHNAN,JUDGE.
SD/- ANTONY DOMINIC,JUDGE.

10/7/2007

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.3866 of 2001
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Dated this the 10th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

This Writ Appeal is preferred by the State of Kerala. Writ Petition was preferred by the respondent herein for a writ of certiorari to quash Ext.P13 order dated 21.1.1995 whereby the request of the respondent for higher grade was rejected. Learned single Judge directed to reconsider the matter. Respondent submitted that he is entitled to the benefit of Ext.P1 Government Order dated 16.9.1985. Even though he was promoted as Assistant Engineer on 7.4.1980 and again promoted as Executive Engineer on 14.6.1991,he was not given the benefit of Ext.P1. Learned Single Judge quashed Ext.P13 and directed the Government to reconsider the matter. We find no error in the findings rendered by the learned Judge..

2. Let the Government reconsider the claim of the respondent in

the light of Ext.P1 Government Order and pass orders within a period of three months from the date of receipt of a copy of this judgment.

Writ Appeal is disposed of as above.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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